

Request For Public Records

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AND U.S. MAIL

Public Records Officer

City of Los Angeles

Board of Public Works

200 North Spring Street, Room 361

Los Angeles, CA 90012-4801

Mail Stop 464

RE: CALIFORNIA PUBLIC RECORDS REQUEST, *Government Code* Section 6250 *et. seq.* related to Issues Involving Public Access to the **Hollywood Sign**

Dear Public Records Officer:

This request is made under Sections 6250, *et seq.* of the Government Code for the public records described as follows:

For ease of reference in this document, please refer to the following defined terms:

“**CEQA**” shall refer to the substantive and procedural requirements set forth at *Public Resources Code* Sections 21000 *et. seq.* and Title 14 *California Code of Regulations* Sections 15000 *et. seq.*, otherwise referred to as CEQA.

“**CITY**” shall refer to all officials, employees, consultants, and agents of the City of Los Angeles, including the City Council as a whole, staff and councilman for Council District 4, Board of Recreation and Parks Commissioners, Department of Recreation and Parks (hereinafter referred to as “RAP”), Department of Transportation, Department of Planning, and the Office of the City Attorney, Department of Public Works, Los Angeles Fire Department, and the Los Angeles Police Department and any and all outside counsel or other consultants including those retained by the City for purposes of complying with CEQA.

“**DOCUMENT**,” as defined in Govt. Code Section 6252(g), shall mean any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail (“**EMAIL**”) or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words,

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pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

"THE OFFICE OF COUNCILMAN LA BONGE" shall include the Councilman himself, and shall include all of his staff regardless of their position. To be helpful in constructing searches, but not by way of limiting the search, the following names were staff members working in Councilman La Bonge's office: Carolyn Ramsay, Tracy James, Sharon Shapiro, Daniel Halden, Jeanne Min, Stacy Marble, Dave Ahern, Sheila Irani, Todd Leitz, Juliette Durand, Sharon Shapiro, Brenda Gonzalez, and Lisa Schechtler (our best efforts to spell these names have been provided)

"EMAIL" includes, but is not limited to, correspondence to or from any e-mail account through which any City business is being conducted, including but not limited to e-mail accounts to City officials, employees or consultants, **and any personal e-mail accounts maintained by City officials, employees or consultants in which City business is being conducted or public issues, such as communications with a project developer and/or its representatives, are discussed.** All personal e-mail accounts that may have been used for sending or receiving documents and records that are responsive to our requests are public records subject to disclosure under the CPRA. This definition of email is consistent with the recent Los Angeles County Superior Court order to the City of Malibu to preserve all personal email of public officials where they conducted public business on personal email accounts so as to defeat the mandates of the California Public Records Act and the Ralph M. Brown Act.

"HOLLYWOODLAND NEIGHBORHOOD" refers to the Hollywoodland Tract No. 6450 including without limitation the single-family neighborhood developed along Beachwood Drive and Hollyridge Drive that is surrounded on three sides by the Griffith Park.

This request under the Public Records Act pertains to all **DOCUMENTS**, as defined that were either initiated, drafted, prepared, completed, revised, corrected, issued, released, published, pending review, in effect, or that otherwise reflect any work and/or arrangement regarding the following category of documents:

1. All **DOCUMENTS** that are communications sent to or received from any person employed by the **CITY** and/or **CITY** departments including without limitation **THE OFFICE OF COUNCILMAN LA BONGE**, as defined herein, regarding any and all issues pertaining to tourism and/or non-resident public access affecting the **HOLLYWOODLAND NEIGHBORHOOD** for the period January 1, 2000 to the present.

2. All **DOCUMENTS** that are communications sent to or received from any person employed by the **CITY** and/or **CITY** departments regarding any and all issues pertaining to

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tourism and/or viewing opportunities viewing opportunities related to the Hollywood Sign for the period January 1, 2000 to the present.

3. All **DOCUMENTS** that are communications sent to or received from any government agency that is not a part of the **CITY** regarding any and all issues pertaining to tourism and/or non-resident public access affecting the **HOLLYWOODLAND NEIGHBORHOOD** for the period January 1, 2000 to the present.

4. All **DOCUMENTS** that are communications sent to or received from any government agency that is not a part of the **CITY** regarding any and all issues pertaining to tourism and/or viewing opportunities related to the Hollywood Sign for the period January 1, 2000 to the present.

5. All **DOCUMENTS** that are communications sent to or received from the public regarding any and all issues pertaining to tourism and/or non-resident public access affecting the **HOLLYWOODLAND NEIGHBORHOOD** for the period January 1, 2000 to the present.

6. All **DOCUMENTS** that are communications sent to or received from the public regarding any and all issues pertaining to tourism and/or viewing opportunities related to the Hollywood Sign for the period January 1, 2000 to the present.

7. All **DOCUMENTS** that are studies related to access by any and all means for tourism and/or viewing opportunities of the Hollywood Sign for the period January 1, 2000 to the present.

8. All **DOCUMENTS** that pertain to proposed and/or actual infrastructure improvements within the **HOLLYWOODLAND NEIGHBORHOOD** involving the Department of Public Works for the period January 1, 2000 to the present.

9. All **DOCUMENTS** that pertain to proposed and/or actual signage infrastructure improvements involving the Department of Public Works that in any way relates to tourism and/or viewing opportunities of the Hollywood Sign for the period January 1, 2000 to the present.

10. All **DOCUMENTS** that pertain to every expenditure by the Department of Public Works in the **HOLLYWOODLAND NEIGHBORHOOD**, for the period January 1, 2000 to the present.

11. All **DOCUMENTS** that pertain to every expenditure by the Department of Public Works that in any way relates to tourism and/or viewing opportunities of the Hollywood Sign for the period January 1, 2000 to the present.

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12. All **DOCUMENTS**, without limitation including manuals, policies, plans, mandates, regulations, etc., that have guided the Department of Public Works in the discharge of its duties that in any way related to tourism and/or viewing opportunities of the Hollywood Sign without regard to any time period.

13. All **DOCUMENTS** that relate to every meeting of every entity with oversight over the Department of Public Works in which the activities by the Department of Public Works within the **HOLLYWOODLAND NEIGHBORHOOD** was included within the subject matter of the matter being considered between January 1, 2000, to the present.

14. All **DOCUMENTS** that relate to every meeting of every entity with oversight over the Department of Public Works in which the activities by the Department of Public Works that in any way relates to viewing opportunities of the Hollywood Sign was included within the subject matter of the matter being considered between January 1, 2000, to the present.

15. All **DOCUMENTS** that relate to any capital improvement plan pertaining to the Department of Public Works within the **HOLLYWOODLAND NEIGHBORHOOD** considered, whether or not adopted, between January 1, 2000, to the present.

16. All **DOCUMENTS** that relate to any capital improvement plan pertaining to the Department of Public Works that in any way relates to viewing opportunities of the Hollywood Sign was included within the subject matter of the matter being considered between January 1, 2000, to the present.

17. All **DOCUMENTS** that in any manner pertain to CEQA compliance bearing any relationship to the activities of the Department of Public Works within the **HOLLYWOODLAND NEIGHBORHOOD**, dated between January 1, 2000, to the present.

18. All **DOCUMENTS** that in any manner pertain to CEQA compliance bearing any relationship to the activities of the Department of Public Works that in any way relates to viewing opportunities of the Hollywood Sign, dated between January 1, 2000, to the present.

I draw the City's attention to Government Code Section 6253.1, which requires a public agency to assist the public in making a focused and effective request by: (1) identifying records and information responsive to the request, (2) describing the information technology and physical location of the records, and (3) providing suggestions for overcoming any practical basis for denying access to the records or information sought.

If the City determines that any information is exempt from disclosure, I ask that the City reconsider that determination in view of Proposition 59 which amended the State Constitution to require that all exemptions be "narrowly construed." Proposition 59 may modify or overturn authorities on which the City has relied in the past.

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If the City determines that any requested records are subject to a still-valid exemption, I request that the City exercise its discretion to disclose some or all of the records notwithstanding the exemption and with respect to records containing both exempt and non-exempt content, the City redact the exempt content and disclose the rest. Should the City deny any part of this request, the City is required to provide a written response describing the legal authority on which the City relies.

Please be advised that Government Code Section 6253(c) states in pertinent part that the agency "shall promptly notify the person making the request of the determination and the reasons therefore." (Emphasis added.) Section 6253(d) further states that nothing in this chapter "shall be construed to permit an agency to delay or obstruct the inspection or copying of public records. The notification of denial of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial."

Additionally, Government Code Section 6255(a) states that the "agency shall justify withholding any record by demonstrating that the record in question is exempt under expressed provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record." (Emphasis added.) This provision makes clear that the agency is required to justify withholding any record with particularity as to "the record in question." (Emphasis added.)

Please clearly state in writing pursuant to Section 6255(b): (1) if the City is withholding any documents; (2) if the City is redacting any documents; (3) what document the City is so withholding and/or redacting; and (4) the alleged legal bases for withholding and/or redacting as to the particular documents. It should also be noted that to the extent documents are being withheld, should those documents also contain material that is not subject to any applicable exemption to disclosure, then the disclosable portions of the documents must be segregated and produced.

We request that you preserve intact all documents and computer communications and attachments thereto, including but not limited to all emails and computer files, wherever originated, received or copied, regarding the subject matter of the above-referenced requests, including archives thereof preserved on tape, hard drive, disc, or any other archival medium, and including also any printouts, blowbacks, or other reproduction of any such computer communications.

Please contact me in advance to arrange a time and place where I can inspect the records before we make any arrangements to copy them. As required by Government Code Section 6253, please respond to this request within ten days. Because I am faxing this request on May 19, 2015 please ensure that your response is provided to me by no later than May 29, 2015. Thank you.

Very truly yours,

CORIM L. KAHN



